

NOTICES OF PROPOSED RULEMAKING

Unless exempted by A.R.S. § 41-1005, each agency shall begin the rulemaking process by 1st submitting to the Secretary of State's Office a Notice of Rulemaking Docket Opening followed by a Notice of Proposed Rulemaking that contains the preamble and the full text of the rules. The Secretary of State's Office publishes each Notice in the next available issue of the *Register* according to the schedule of deadlines for *Register* publication.

Under the Administrative Procedure Act (A.R.S. § 41-1001 et seq.), an agency must allow at least 30 days to elapse after the publication of the Notice of Proposed Rulemaking in the *Register* before beginning any proceedings for adoption, amendment, or repeal of any rule. A.R.S. §§ 41-1013 and 41-1022.

NOTICE OF PROPOSED RULEMAKING

TITLE 8. EMERGENCY AND MILITARY AFFAIRS

CHAPTER 3. DEPARTMENT OF EMERGENCY AND MILITARY AFFAIRS

DIVISION OF MILITARY AFFAIRS

PREAMBLE

- | | |
|-----------------------------|--------------------------|
| 1. Sections Affected | Rulemaking Action |
| R8-3-101 | Repeal |
| R8-3-102 | Repeal |
| R8-3-103 | Repeal |
| R8-3-104 | Repeal |
- 2. The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):**
Authorizing statutes: A.R.S. § 26-102
Implementing statute: A.R.S. § 26-127
- 3. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:**
Name: John A. McMurdie
Address: Department of Emergency and Military Affairs
5636 East McDowell Road
Phoenix, Arizona 85008-3495
Telephone: (602) 267-2730
Fax: (602) 267-2903
- 4. An explanation of the rule, including the agency's reasons for initiating the rule:**
The rules, which provide for an appointed board to determine retainability of members of the National Guard who are eligible for retirement, are being repealed because they are no longer applicable.
- 5. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:**
Not applicable.
- 6. The preliminary summary of the economic, small business, and consumer impact:**
There is a minimal cost of the repeal process. As the rule has never been employed, there is only a potential savings in not having to enforce the rule.
- 7. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:**
Name: John A. McMurdie
Address: Department of Emergency and Military Affairs
5636 East McDowell Road
Phoenix, Arizona 85008-3495
Telephone: (602) 267-2730
Fax: (602) 267-2903

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8. The time, place, and nature of the proceedings for the adoption, amendment, or repeal of the rules or, if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:

Date: October 22, 1997

Time: 9 a.m.

Location: Russell Auditorium, Building 101
Papago Park Military Reservation
5636 East McDowell Road
Phoenix, Arizona 85008-3495

Nature: Public Hearing

9. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:
Not applicable.

10. Incorporations by reference and their location in the rules:
Not applicable.

11. The full text of the rules follows:

TITLE 8. EMERGENCY AND MILITARY AFFAIRS

CHAPTER 3. DEPARTMENT OF EMERGENCY AND MILITARY AFFAIRS

DIVISION OF MILITARY AFFAIRS

**ARTICLE 1. RETENTION AND SEPARATION POLICY
FOR MEMBERS OF THE ARMY AND AIR NATIONAL
GUARD OF ARIZONA REPEALED**

Section

- R8-3-101 Definitions Repealed
R8-3-102 Policy and procedure Repealed
R8-3-103 No vested rights Repealed
R8-3-104 Reappointment of federal technicians Repealed

**ARTICLE 1. RETENTION AND SEPARATION POLICY
FOR MEMBERS OF THE ARMY AND AIR NATIONAL
GUARD OF ARIZONA REPEALED**

R8-3-101. Definitions Repealed

- A. "National Guard of Arizona" means Army and Air Commissioned Officers, Warrant Officers, and enlisted personnel who are members of the state's federally recognized units.
- B. "Federally recognized units" means those units recognized by the Secretary of the Army or Air Force as meeting the qualifications prescribed by federal law.
- C. "The Adjutant General" means the person described in ARS § 26-101.
- D. "Commissioned officer" means a person commissioned by proper authority to hold a grade beginning with Second Lieutenant through the grade of General.
- E. "Warrant Officer" means a person appointed by proper authority to hold a grade of Warrant Officer 1 through grade Chief Warrant 4.
- F. "Designated representative" means the officer holding the position of Commander of Troops, Army National Guard or Commander, Air National Guard, each of whom command all members within their respective services in the National Guard of Arizona.
- G. "Commanders" means those individuals assigned to command positions in the military chain of command.
- H. "Supervisors" means those assigned individuals in intermediate technician or military position having supervisory responsibility.

- I. "Enlisted personnel" means a person enlisted and holding a pay grade between E-1 and E-9.
- J. "Technician employee of the National Guard" means a full-time civilian employee of the National Guard of Arizona whose salary is paid in full directly by the Federal Government or state.
- K. "Noncompatible position" means a technician employee's position, the duties of which do not closely relate to his or her military duties, is not performed in the same unit to which assigned militarily, or the grade of which is not at least equal to the military grade specified under federal law for the technician position.
- L. "Category A" means federal technician employees of the National Guard; personnel on active duty tours under Titles 10 or 32, U.S. Code, who have served in the grade held upon entry of said tour for at least 4 years; and state employees of the Arizona Division of Military Affairs.
- M. "Category B" means all National Guard personnel not included in Category A.
- N. "Creditable years service" means satisfactory years of assignment in any component of the Armed Forces of the United States.
- O. "Notice of Appointment" means a notification to a member of the National Guard of Arizona of an appointment for a term of not less than three months or more than three years.
- P. "Section and Retention Board" means a Board convened under regulations for the purpose of reviewing the records of every officer and enlisted individual who attains 20 or more creditable years of service.

R8-3-102 Policy and Procedure Repealed

- A. The retention and separation of members of the National Guard of Arizona who have attained 20 or more creditable years of service shall be as directed herein. The Adjutant General shall not approve the separation of National Guard members who have attained 20 or more creditable years of service except pursuant to this Article or federal law.
- B. There shall be two categories of personnel for the management of the retention and separation of members. These shall be Category A and Category B.

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- C. Except as otherwise provided in this Article or federal law, no Category A or Category B member shall be separated except for cause. No Category A member shall be transferred to a noncompatible position.
- D. Members shall be separated upon expiration of the Notice of Appointment, unless a new Notice of Appointment is timely issued.
- E. Commissioned officers normally shall not be given a Notice of Appointment beyond age 55. Category A commissioned officers who are otherwise qualified and reach age 55 may be given a Notice of Appointment for the necessary period of service to qualify for an immediate annuity. Category A commissioned officers who will not qualify for an immediate annuity prior to age 60 normally shall not be granted a Notice of Appointment beyond age 55.
- F. Warrant officers and enlisted personnel shall not be granted a Notice of Appointment beyond 60.
- G. All personnel shall be separated on the date of the occurrence of the event described below, unless a Notice of Appointment has been tendered. The event shall be:
1. For Category A members:
 - (a) Who are commissioned officers, when they become 50 years of age.
 - (b) Who are warrant officers or enlisted personnel when they become 55 years of age.
 2. For Category B members, the day following the receipt by the Adjutant General of the member's letter of notification of eligibility for retired pay at age 60.
- H. The Adjutant General or his designated representative shall not consider the tender of any Notice of Appointment for any personnel until he has received the retention or separation recommendation of the supervisors and commanders of those personnel. The Adjutant General may accept or reject the recommendation.

- I. A Notice of Appointment shall be for a term of not less than three months nor more than three years beginning on the date of the occurrence of the event described above.
- J. Unless otherwise prohibited by this Article, a new Notice of Appointment may be tendered prior to or upon the expiration of an existing Notice of Appointment. A member shall be separated upon the expiration date of the member's Notice of Appointment unless a new Notice of Appointment is tendered to the member prior to that expiration date.
- K. The Adjutant General may delegate authority for the tender of a Notice of Appointment to the Commander of Troops, Army National Guard, or the Commander, Air National Guard, as appropriate. A new Notice of Appointment shall be issued upon change of Category A to B or B to A.
- L. All rights conferred upon a member by this Article may be waived by that member at any time.

R8-3-103. No vested rights Repealed

This Article at any time may be repealed in its entirety and at any time or times may be amended in any manner without violating any vested right of any person and without giving rise in any person to any claim for any kind of relief. In the event of any such repeal, the Adjutant General properly may act as if this Article never existed; and in the event of any such amendment, properly may act as if the Article always stated what it states after the amendment.

R8-3-104. Reappointment of federal technicians Repealed

A technician employee of the National Guard who becomes eligible for and who applies for a discontinued service annuity because of loss of military membership shall not be given a further Notice of Appointment, be reappointed, enlisted, or reenlisted in the National Guard of Arizona on or after the earlier of:

1. The date of termination as a technician employee of the National Guard; or
2. The date his or her resignation as a technician employee of the National Guard is submitted.

NOTICE OF PROPOSED RULEMAKING

TITLE 19. ALCOHOL, HORSE AND DOG RACING, LOTTERY, AND GAMING

CHAPTER 2. ARIZONA RACING COMMISSION

PREAMBLE

1. **Sections Affected**

R19-2-103	Amend
R19-2-106	Amend
R19-2-303	Amend
R19-2-306	Amend
2. **The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):**

Authorizing statutes: A.R.S. §§ 5-107, 5-107.01, and 5-107.02

Implementing statute: A.R.S. §§ 5-108 and 5-108.01
3. **The name and address of agency personnel with whom persons may communicate regarding the rulemaking:**

Name:	Paul Ryneveld
Address:	Arizona Department of Racing 3877 North 7th Street Phoenix, Arizona 85014
Telephone:	(602) 277-1704

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Fax: (602) 277-1165

4. **An explanation of the rule, including the agency's reasons for initiating the rule:**
The amendments to the rules will establish time-frames for the issuance of licenses and permits as required by A.R.S. § 41-1072 et seq.
5. **A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:**
None.
6. **The preliminary summary of the economic, small business, and consumer impact:**
None.
7. **The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:**
Name: Paul Ryneveld
Address: Arizona Department of Racing
3877 North 7th Street
Phoenix, Arizona 85014
Telephone: (602) 277-1704
Fax: (602) 277-1165
8. **The time, place, and nature of the proceedings for the adoption, amendment, or repeal of the rules or, if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:**
No oral proceedings are scheduled. Contact Paul Ryneveld in writing to request 1. At least 5 requests need to be submitted within 30 days following publication of the proposed rulemaking in order to schedule an oral proceeding.
9. **Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:**
None.
10. **Incorporations by reference and their location in the rules:**
None.
11. **The full text of the rules follows:**

TITLE 19. ALCOHOL, HORSE AND DOG RACING, LOTTERY, AND GAMING
CHAPTER 2. ARIZONA RACING COMMISSION

ARTICLE 1. HORSE RACING

Section
R19-2-103 Permit Applications
R19-2-106 Licensing

ARTICLE 3. GREYHOUND RACING

Section
R19-2-303 Permit Application
R19-2-306 Licensing

ARTICLE 1. HORSE RACING

R19-2-103. Permit Applications

- A. Any person or persons, associations, or corporation desiring to hold or conduct a horse racing meeting within the state of Arizona shall file with the Commission 10 copies of a permit application as set forth in A.R.S. § 5-107.
- B. No permit shall be issued until the applicant has furnished the Commission with evidence of compliance with A.R.S. § 23-901 et seq. (Workmen's Compensation) and A.R.S. § 23-1101 et seq. (Occupational Disease Insurance).
- C. Permit applicants shall submit to the Commission the names of the proposed track officials at least 60 days prior to the beginning of their meet along with a short biographical sketch of each official not previously licensed in the same capacity by the Department.
- D. A permit application shall specify the number of races to be run on a daily basis.

E. Racing shall be conducted only on those days granted by permit.

E. Permit Application Time-Frames.

1. **Administrative completeness review time-frame.**
 - a. Within 30 days after receiving an application package, the Department shall determine whether the application package contains the information required by subsections (A), (B), (C), and (D).
 - b. If the application package is incomplete, the Department shall issue a written notice that specifies what information is required and return the application. If the application package is complete, the Department shall provide a written notice of administrative completeness.
 - c. The Department shall deem an application package withdrawn if the candidate or licensee fails to file a complete application package within 180 days of being notified that the application package is incomplete.
2. **Substantive review time-frame.** Within 728 days after receipt of a complete application package, the Department shall determine whether the application package meets the substantive criteria of subsections (A), (B), (C), and (D) and issue a written notice granting or denying a license.
3. **Overall time-frame.** For the purpose of A.R.S. § 41-1073, the Department establishes the following time-frames for issuing a license.

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- a. Administrative completeness review time-frame: 30 days.
- b. Substantive review time-frame: 728 days.
- c. Overall time-frame: 758 days.

R19-2-106. Licensing

A. All persons participating in any capacity in a racing meeting, including all persons who perform services in connection with the conduct of the racing meeting, shall be required to obtain a license from the Department, except:

- 1. Those persons performing services during a county fair race meet who are identified as volunteer help.
- 2. Any person owning less than 10% of all classifications and types of outstanding shares of stock of any permittee or licensee.

B. Applications

- 1. An application for a license shall be made on a form prescribed by the Department and all licensees are obligated to know the provisions of the rules governing racing in the state of Arizona.
- 2. The Department may issue written instructions as to the preparation and execution of the license application, which instructions may be a part of or separate from the application form, or both.
- 3. A schedule of license and fingerprint processing fees shall be displayed prominently at each track.
- 4. Each applicant 18 years of age or older shall submit to being fingerprinted. Said prints shall be taken by the Department or certified by a municipal police department, sheriff's office, or other recognized authority acceptable to the Department.

C. License applications shall be submitted to the Department office located on the grounds of a permittee or other designated facility.

D. License procedure

- 1. A license application shall be granted or denied by a steward and transmitted to the Director.
- 2. In considering each application for a license, the steward may require the applicant, as well as such applicant's endorsers, to appear before the steward and show that said applicant is qualified in every respect to receive the license requested. Ability as well as integrity shall be clearly shown by the applicant in order to receive a license.
- 3. An applicant who fails to pass the test for a trainer's license shall wait at least 6 months before retaking the test.

4. Administrative completeness review time-frame.

- a. Within 7 days after receiving an application package, the Department shall determine whether the application package contains the information required by subsections (B), (C), and (D)(1), (2), and (3).
- b. If the application package is incomplete, the Department shall issue a written notice that specifies what information is required and return the application. If the application package is complete, the Department shall provide a written notice of administrative completeness.
- c. The Department shall deem an application package withdrawn if the candidate or licensee fails to file a complete application package within 10 days of being notified that the application package is incomplete.

- 5. Substantive review time-frame: Within 90 days after receipt of a complete application package, the Depart-

ment shall determine whether the application package meets the substantive criteria of subsections (B), (C), and (D)(1), (2), and (3) and issue a written notice granting or denying a license.

6. Overall time-frame: For the purpose of A.R.S. § 41-1073, the Department establishes the following time-frames for issuing a license.

- a. Administrative completeness review time-frame: 7 days.
- b. Substantive review time-frame: 90 days.
- c. Overall time frame: 97 days.

E. Denials

- 1. A license may be denied if the applicant:
 - a. Has been or habitually is intoxicated or a user of narcotics within the grounds of the permittee pursuant to A.R.S. § 36-2501(A)(8);
 - b. Has failed to disclose the true ownership or interest in any horse.
- 2. Whenever a license is denied, the reasons for the denial shall be reported in writing to the applicant and to the Association of Racing Commissioners International, Inc.

F. General requirements and restrictions

- 1. A licensee who is employed in more than 1 category or who changes from 1 category to another must be licensed in each category.
- 2. A licensee who is an official at different types of tracks (horse, harness, or greyhound) must be licensed at each type of track.
- 3. A person under 16 years of age may not be licensed in any capacity other than as an owner, and no person under 18 shall be licensed as an official, trainer or assistant trainer. Any owner under 18 shall have a parent or guardian sign such owner's license application assuming full financial responsibility for the applicant before that person can be licensed.
- 4. Each license shall expire on the 30th day of June, 1995, and every 3rd year thereafter, except that:
 - a. Apprentice jockey licenses expire as provided in R19-2-109(D)(1)(c).
 - b. One-year licenses may be issued for mutuel workers, concession workers, and peace officers. Such licenses shall expire on the 30th day of June, 1995, and every year thereafter.
- 5. All persons when present in the barn area of a horse track, in paddock areas, or in any other restricted area must wear, in full view, their photo identification badges issued by the Department or a pass issued by the permittee.

G. Fees

	1st Year	2nd Year	3rd Year
1. Three-year licenses:			
a. New stable name:	\$124	\$112	\$100
b. Owner/trainer, jockey agent, jockey, or apprentice jockey:	75	50	25
c. Owner, trainer, assistant trainer, veterinarian, authorized agent, official, lessee, lessor, or stable name renewal:	36	24	12
d. Occupational license:	15	10	5
2. One-year licenses:	7		
3. Duplicate license:	5	5	5
4. Temporary claiming license:	36	36	36
5. Authorized agent when			

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licensed in another category:	5	5	5
6. Authorized agent when not licensed in another category:	36	24	12

- H. All licenses are temporary until completion of necessary background investigation, including fingerprinting processing through the Department of Public Safety and the FBI, and research and review of records of the Association of Racing Commissioners International, Inc., information systems, courts, law enforcement agencies, and the Department.
- I. Authorized agents
1. An authorized agent may be licensed solely as an authorized agent or may also be licensed in another category.
 2. The application for a license as an authorized agent shall be signed by the principal and clearly set forth the powers of the agent, including whether the agent is empowered to collect money from the permittee. Such instrument shall be either notarized or signed in the presence of a Department employee and a copy filed with the horsemen's bookkeeper and with the Department.
 3. Changes in an agent's powers or revocation of an agent's authority shall be in writing, either notarized or signed in the presence of a Department official, and shall be filed with the Department and the horsemen's bookkeeper.

ARTICLE 3. GREYHOUND RACING

R19-2-303. Permit Applications

- A. Any person or persons, associations, or corporation desiring to hold or conduct a greyhound racing meeting within the state of Arizona shall file with the Commission 10 copies of a permit application as set forth in A.R.S. § 5-107.
- B. No permit shall be issued until the applicant has furnished the Commission with evidence of compliance with A.R.S. § 23-901 et seq. (Workmen's Compensation) and A.R.S. § 23-1101 et seq. (Occupational Disease Insurance).
- C. Permit applicants shall submit to the Commission the names of the proposed track officials at least 60 days prior to the beginning of their meet along with a short biographical sketch of each official not previously licensed in the same capacity by the Department.
- D. A permit application shall specify the number of races to be run on a daily basis.
- E. Racing shall be conducted only on those days granted by permit.
- F. Permit Application Time-Frames.
1. Administrative completeness review time-frame.
 - a. Within 30 days after receiving an application package, the Department shall determine whether the application package contains the information required by subsections (A), (B), (C), and (D).
 - b. If the application package is incomplete, the Department shall issue a written notice that specifies what information is required and return the application. If the application package is complete, the Department shall provide a written notice of administrative completeness.
 - c. The Department shall deem an application package withdrawn if the candidate or licensee fails to file a complete application package within 180 days of being notified that the application package is incomplete.
 2. Substantive review time-frame. Within 728 days after receipt of a complete application package, the Department shall determine whether the application package meets the substantive criteria of subsections (A), (B), (C),

and (D) and issue a written notice granting or denying a license.

3. Overall time-frame. For the purpose of A.R.S. § 41-1073, the Department establishes the following time-frames for issuing a license:

- a. Administrative completeness review time-frame: 30 days.
- b. Substantive review time-frame: 728 days.
- c. Overall time-frame: 758 days.

R19-2-306. Licensing

- A. All persons participating in any capacity in a racing meeting, including all persons who perform services in connection with the conduct of the racing meeting, shall be required to obtain a license from the Department, except:
1. Those persons performing services during a county fair race meet who are identified as volunteer help.
 2. Any person owning less than 10% of all classifications and types of outstanding shares of stock of any permittee or licensee.
- B. Applications
1. An application for a license shall be made on a form prescribed by the Department and all licensees are obligated to know the provisions of the rules governing racing in the state of Arizona.
 2. The Department may issue written instructions as to the preparation and execution of the license application, which instructions may be a part of or separate from the application form, or both.
 3. A schedule of license and fingerprint processing fees will be displayed prominently at each track.
 4. Each applicant 18 years of age or older shall submit to being fingerprinted. Said prints shall be taken by the Department or certified by a municipal police department, sheriff's office, or other recognized authority acceptable to the Department.
- C. License applications shall be submitted to the Department office located on the grounds of a permittee or at another designated facility.
- D. License procedure
1. A license application shall be granted or denied by a steward and transmitted to the Director.
 2. In considering each application for a license, the steward may require the applicant, as well as his or her endorsers, to appear before him or her and show that said applicant is qualified in every respect to receive the license requested. Ability as well as integrity must be clearly shown by the applicant in order to receive a license.
 3. An applicant who fails to pass the test for a trainer's license must wait at least 6 months before retaking the test.
 4. Administrative completeness review time-frame.
 - a. Within 7 days after receiving an application package, the Department shall determine whether the application package contains the information required by subsections (B), (C), and (D)(1), (2), and (3).
 - b. If the application package is incomplete, the Department shall issue a written notice that specifies what information is required and return the application. If the application package is complete, the Department shall provide a written notice of administrative completeness.
 - c. The Department shall deem an application package withdrawn if the candidate or licensee fails to file a complete application package within 10 days of

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being notified that the application package is incomplete.

5. Substantive review time-frame. Within 90 days after receipt of a complete application package, the Department shall determine whether the application package meets the substantive criteria of subsections (B), (C), and (D)(1), (2), and (3) and issue a written notice granting or denying a license.
 6. Overall time-frame. For the purpose of A.R.S. § 41-1073, the Department establishes the following time-frames for issuing a license:
 - a. Administrative completeness review time-frame: 7 days.
 - b. Substantive review time-frame: 90 days.
 - c. Overall time-frame: 97 days.
- E. Denials**
1. A license may be denied if the applicant:
 - a. Has been or habitually is intoxicated or a user of narcotics within the grounds of the permittee pursuant to A.R.S. § 36-2501(A)(8),
 - b. Has failed to disclose the true ownership or interest in any greyhound.
 2. Whenever a license is denied, the reasons for the denial shall be reported in writing to the applicant and to the Association of Racing Commissioners International, Inc.
- F. General requirements and restrictions**
1. A licensee who is employed in more than 1 category or who changes from 1 category to another shall be licensed in each category.
 2. A licensee who is an official at different types of tracks (horse, harness, or greyhound) shall be licensed at each type of track.
 3. A person under 16 years of age shall not be licensed in any capacity other than as an owner; and no person under 18 shall be licensed as an official, trainer, or assistant trainer. Any owner under 18 shall have a parent or guardian sign his or her license application assuming full financial responsibility for the applicant before that person can be licensed.
 4. Each license shall expire on the 31st day of January, 1996, and every 3rd year thereafter, except that one-year licenses may be issued for mutuel workers, concession workers, lead-outs, cool-outs and peace officers. Such licenses shall expire on the 31st day of January, 1996, and every year thereafter.
 5. All persons, when present in the kennel area of a greyhound track, in paddock areas, or in any other restricted

area, shall wear, in full view, their photo identification badges issued by the Department or passes issued by the permittee.

G. Fees:

	1st Year	2nd Year	3rd Year
1. Three-year licenses:			
a. New kennel name:	\$124	\$112	\$100
b. Owner/trainer:	75	50	25
c. Racing kennel, breeding farm, or other operation:	75	50	25
d. Owner, trainer, veterinarian, official, lessee, lessor, assistant trainer, kennel name renewal, or kennel owner:	36	24	12
e. Occupational license:	15	10	5
2. One-year licenses:	7		
3. Duplicate license:	5	5	5
4. Authorized agent when licensed in another category:	5	5	5
5. Authorized agent when not licensed in another category:	36	24	12

- H. All licenses are temporary until completion of necessary background investigation, including fingerprinting processing through the Department of Public Safety and the FBI, and research and review of records of the Association of Racing Commissioners International, Inc., information systems, courts, law enforcement agencies, and the Department.**

I. Authorized agents

1. An authorized agent may be licensed solely as authorized agent or may also be licensed in another category.
2. The application for a license as an authorized agent shall be signed by the principal and clearly set forth the powers of the agent, including whether the agent is empowered to collect money from the permittee. Such instrument shall be either notarized or signed in the presence of a Department employee and a copy filed with the track bookkeeper. If the written instrument is a power of attorney, a copy of said instrument shall be filed with the bookkeeper and the Department.
3. Changes in an agent's powers or revocation of an agent's authority shall be in writing, either notarized or signed in the presence of a Department official, and filed with the Department and the track bookkeeper.